

ranging from Farnsworth's cathode ray tube to the airplane to life-saving pharmaceuticals. The value of our patent system was perhaps best summarized by President Abraham Lincoln, himself a patent holder, when he noted that it "adds the fuel of interest to the spark of genius."

We also are world leaders in copyrighted works. Books, movies, music, and other examples of American creativity entertain and enlighten the world, and make a generous contribution to our balance of trade.

Our country's technological prowess and our high standard of living stem from the creativity, determination, and entrepreneurial drive of our citizens and the protection we provide for their creations. So, today, as nations around the world mark "World Intellectual Property Day," let us take pride in the fact that our intellectual property system is recognized as the most effective in the world. As we look to the future, let us also pledge ourselves to ensuring that the United States remains the world's pre-eminent provider and protector of intellectual property.

#### CHRONIC INFECTIOUS CHILDHOOD DISEASES

Mr. JEFFORDS. Mr. President, I rise today to bring attention to the single most common chronic infectious childhood disease, namely dental decay. In fact, it is five times more common than asthma and seven times more common than hay fever. Young children with severe decay, affecting multiple teeth, may need to be treated in a hospital under general anesthesia. This level of treatment is unnecessarily costly. An estimated \$100 million each year is spent for operating room charges associated with treating severe decay in very young children.

One of the most cost effective ways to reduce the burden of tooth decay, before it starts, is community water fluoridation. Since 1945, water fluoridation has been the cornerstone of the nation's oral health, by safely, inexpensively and effectively preventing tooth decay regardless of an individuals' socioeconomic status or ability to obtain dental care. Today, close to 144 million Americans receive this benefit through fluoridated water. Unfortunately, more than 100 million others do not.

This is especially disturbing, because water fluoridation remains the most equitable and cost-effective method of delivering fluoride. The average lifetime cost of fluoridation per person is less than the approximate cost of one dental filling.

In my home State of Vermont, three communities with over 7,000 residents, do not benefit from community water fluoridation. According to the Vermont Department of Health, high school students in one of these communities have the worse dental health in the State, by a significant margin. Because of the

high disease rate in these three communities, they have responded by developing dental clinics to serve low-income residents. Although we applaud these communities for responding accordingly, the old adage holds true here, an ounce of prevention is worth a pound of cure.

Dental sealants have also proven to be an effective method of preventing tooth decay. Studies have shown that sealants can reduce tooth decay by over 70 percent. Despite the proven effectiveness of this method, only three percent of low-income children have had sealants applied to their teeth.

The inequities in oral health care are especially apparent in Medicaid patients. In 1993, only 1 in 5 children and adolescents covered by Medicaid received preventive dental service such as application of fluoride or sealants. Alarmed by these statistics, Senator RUSS FEINGOLD and I, along with 26 of our colleagues, wrote to the Health Care Financing Administration asking that they explore what Medicaid could do to improve access to comprehensive dental services for underserved children.

Oral health is a key determinate of overall health. It is essential that we continue to pursue these low-cost and effective measures to ensure that all children in this country, regardless of income and geography, are free of dental disease.

#### TRIBALLY CONTROLLED POSTSECONDARY VOCATIONAL AND TECHNICAL INSTITUTIONS

Mr. CONRAD. Mr. President, I would like to engage the Chair of the HELP Committee in a colloquy regarding eligibility for Section 117 of the Carl Perkins Vocational and Applied Technology Education Act. Section 117 authorizes funding for Tribally Controlled Postsecondary Vocational and Technical Institutions. The funds have been awarded annually to the two existing tribally controlled postsecondary vocational institutions that are devoted to providing vocational and technical education, United Tribes Technical College and Crownpoint Institute of Technology. Historically, these two institutions have not received assistance under the Tribally Controlled College and University Assistance Act, so the Perkins funds are key to their existence.

On March 28, 2001, the Department of Education issued a Request for Proposals, RFP for funding under Section 117 that would open up funding for this program to the tribal colleges. The Department is operating under the mistaken view that the 1998 Perkins Amendments changed the previous Perkins law with regard to eligibility for these funds. In fact, it was not the intent of Congress to in any way alter eligibility for Section 117 funding when it enacted the 1998 Perkins Amendments. The members of the North Dakota and New Mexico delegations dis-

agree with the Department and have written to Secretary Paige stating our view that the 1998 Perkins amendments did not change the eligibility for what is now the Section 117 program. Do the Chairman and Ranking Member of the HELP Committee agree with our view?

Mr. JEFFORDS. Yes, I agree with the view of the North Dakota and New Mexico delegations. The 1998 amendments to the Perkins Act made no substantive changes to the Tribally Controlled Postsecondary Vocational Institutions section of the law concerning eligibility. The section that authorizes the grants retained the purpose of providing assistance solely to institutions whose focus is vocational and technical education.

Mr. DOMENICI. The Crownpoint Institute of Technology and United Tribes Technical College depend on Perkins funding for their core operational funds, and the Department should not make radical changes in eligibility simply by issuing a new grant announcement. The 1992 regulations for the Tribally Controlled Postsecondary Vocational Institutions Program state, at 34 CFR 440.5, that tribal colleges are not eligible for these funds. The regulations have not been changed. Would the Ranking Member of the HELP Committee comment on this?

Mr. KENNEDY. The senior Senator from New Mexico is correct. The 1992 regulations have not been changed, nor has there been a need to change them because the 1998 Perkins Amendments made no changes concerning which institutions are eligible for the Tribally Controlled Postsecondary Vocational Institutions funding.

Mr. DORGAN. I would like to inquire of the junior Senator from New Mexico and a member of the HELP Committee, what difference, if any, was made in the eligibility for the Tribally Controlled Postsecondary Vocational Institutions funding in 1998?

Mr. BINGAMAN. No change was made. We included a parenthetical reference to the definition of "institution of higher education," this has no practical effect as both the 1990 and 1998 Perkins laws require that a grant recipient be an institution of higher education. The Department should continue providing grants for Section 117 under the current regulations unless and until new regulations are issued pursuant to the Administrative Procedures Act. Crownpoint Institute of Technology and United Tribes Technical College were intended to be the only beneficiaries of this section.

Mr. DORGAN. Thank you. I would like to include for the RECORD a copy of the letter from the North Dakota and New Mexico delegations to Secretary Paige on this matter. I would also like included in the RECORD a letter from Dr. Jim Shanley, President of the American Indian Higher Education Consortium, objecting to the Department's RFP that would open up the Section 117 program to the tribal colleges. Dr. Shanley notes that such an